

**ADDRESSES:** The proposed settlement is available for public inspection at the EPA Superfund Record Center, 999 18th Street, 5th Floor, North Tower, Denver, Colorado. Comments should be addressed to Kelcey Land, Enforcement Specialist, (8ENF-T), U.S. Environmental Protection Agency, 999 18th Street, Suite 500, Denver, Colorado, 80202-2405, and should reference the Clear Creek/Central City site Prospective Purchaser Agreement (EPA Docket No. CERCLA-8-2000-06).

**FOR FURTHER INFORMATION CONTACT:** Kelcey Land, Enforcement Specialist, at (303) 312-6393.

**SUPPLEMENTARY INFORMATION:** Notice of Prospective Purchaser Agreement: notice is hereby given that the terms of an Administrative Agreement and Covenant Not to Sue, also known as a Prospective Purchaser Agreement (PPA) have been agreed to by the City of Idaho Springs, the State of Colorado and the Environmental Protection Agency.

The proposed PPA will allow the City of Idaho Springs, Colorado to purchase certain property on the western edge of Idaho Springs which is a part of the Clear Creek/Central City Superfund Site. The property in question is known as the Big Five Waste Rock Pile which was contaminated by mining waste in the early 1900's. The State and EPA are currently financing a cleanup of the Big Five Waste Rock Pile. The PPA allows the City of Idaho Springs to purchase the property without incurring liability for the existing contamination. The City intends to use the property as part of a bicycle and pedestrian path. In exchange for the covenants, the City has agreed to perform maintenance activities to ensure the protectiveness of the remedy implemented by the State and EPA.

For a period of fifteen (15) days from the date of this publication, the public may submit comments to EPA relating to this proposed Prospective Purchaser Agreement.

A copy of the proposed agreement may be obtained from Kelcey Land (8ENF-T), U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Colorado 80202-2405, (303) 312-6393. Additional background information relating to the agreement is available for review at the Superfund Records Center at the above address.

It is So Agreed:

**Jack W. McGraw,**

*Acting Regional Administrator, Region VIII.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6541-6]

### Westgate Mobile Home Superfund Site; Notice of Proposed Settlement

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed settlement.

**SUMMARY:** The United States Environmental Protection Agency is proposing to enter into a settlement with the Exide Corporation for response cost pursuant to section 122(h)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9622(h)(1) concerning the Westgate Mobile Home Superfund Site (Site) located in Greer, Greenville County, South Carolina. EPA will consider public comments on the proposed settlement for thirty (30) days. EPA may withdraw from or modify the proposed settlement should such comments disclose facts or considerations which indicate the proposed settlement is inappropriate, improper or inadequate. Copies of the proposed settlement are available from: Ms. Paula V. Batchelor, U.S. EPA, Region 4, (WMD-CPSB), 61 Forsyth Street SW, Atlanta, Georgia 30303, (404) 562-8887.

Written comments may be submitted to Ms. Batchelor on or before March 9, 2000.

Dated: February 8, 2000.

**Franklin E. Hill,**

*Chief, CERCLA Program Services Branch, Waste Management Division.*

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## ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-62162A; FRL-6488-5]

### Asbestos-Containing Materials in Schools; State Request for Waiver from Requirements; Notice of Final Decision

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of final decision on requested waiver.

**SUMMARY:** EPA is issuing a final decision which approves the request from Texas for a waiver from the Agency's asbestos-in-schools program. A waiver of these requirements is granted since EPA has determined, after notice and comment and opportunity for a public hearing, that Texas is implementing or intends to

implement a program of asbestos inspection and management at least as stringent as EPA's program. This notice announces the official grant of the waiver.

**ADDRESSES:** A copy of the complete waiver application submitted by the State, identified by docket control number OPPTS-62162, is on file and available for review at the EPA Region VI office in Dallas, TX.

**FOR FURTHER INFORMATION CONTACT:** Neil Pflum, Asbestos Coordinator, (6PD-T), Region VI, Environmental Protection Agency, 1445 Ross Ave., Dallas, TX 75202; telephone: (214) 665-2295; e-mail: pflum.neil@epa.gov.

## SUPPLEMENTARY INFORMATION:

### I. General Information

#### A. Does this Action Apply to Me?

This action is directed to the public in general. This action may, however, be of special interest to teachers and other school personnel, their representatives, and parents in Texas, and asbestos professionals working in Texas. Since other entities may also be interested, the Agency has not attempted to describe all entities that may be affected by this action. If you have any questions regarding the applicability of this action to any entity, contact the person under "FOR FURTHER INFORMATION CONTACT."

#### B. How Can I Get Additional Information, Including Copies of this Document or Other Related Documents?

EPA has established an official record for this action under docket control number OPPTS-62162. The official record consists of the documents referenced in this action and is available by contacting the person under, "FOR FURTHER INFORMATION CONTACT."

### II. Background

#### A. What Action is the Agency Taking and under What Authority?

On October 29, 1999, EPA published a notice of proposed waiver in the **Federal Register** (64 FR 58406) (FRL-6386-8) on the proposed grant of a waiver of the asbestos-in-schools program in Texas, soliciting written comments and providing an opportunity for a public hearing. No comments and no requests for a public hearing were received during the comment period, which ended on December 28, 1999. Consequently, no public hearing was held.

EPA is granting, with conditions, a waiver of the asbestos-in-schools program to Texas. The waiver is issued under section 203(m) of TSCA and 40